

CCRB INVESTIGATIVE RECOMMENDATION

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|--|---|-------------------------------------|---|---|---------------------------------|
| Investigator: Casey McCann | Team: Squad #14 | CCRB Case #: 202003152 | <input checked="" type="checkbox"/> Force | <input checked="" type="checkbox"/> Discourt. | <input type="checkbox"/> U.S. |
| | | | <input checked="" type="checkbox"/> Abuse | <input type="checkbox"/> O.L. | <input type="checkbox"/> Injury |
| Incident Date(s) Tuesday, 04/28/2020 6:59 PM, Tuesday, 04/28/2020 7:03 PM | Location of Incident: Southeast corner of Sutter Avenue and Hemlock Street; 75th Precinct Stationhouse | Precinct: 75 | 18 Mo. SOL 10/28/2021 | EO SOL 5/4/2022 | |
| Date/Time CV Reported Sat, 05/09/2020 3:48 PM | CV Reported At: CCRB | How CV Reported: On-line website | Date/Time Received at CCRB Sat, 05/09/2020 3:48 PM | | |

| Complainant/Victim | Type | Home Address |
|--------------------|------|--------------|
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| Witness(es) | Home Address |
|-------------|--------------|
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| Subject Officer(s) | Shield | TaxID | Command |
|------------------------|--------|--------|---------|
| 1. An officer | | | |
| 2. Officers | | | |
| 3. POM John Plumitallo | 16755 | 961108 | 075 PCT |
| 4. SGT Adnan Radoncic | 01316 | 930995 | 075 PCT |
| 5. POM James Argila | 15383 | 946752 | 075 PCT |

| Witness Officer(s) | Shield No | Tax No | Cmd Name |
|--------------------------|-----------|--------|----------|
| 1. DI John Mastronardi | 00000 | 924147 | 075 PCT |
| 2. POF Kristen Foley | 06731 | 966061 | 075 PCT |
| 3. POM Eric Borbee | 22871 | 962265 | 075 PCT |
| 4. POM Kevin Morgan | 07698 | 949365 | 075 PCT |
| 5. POF Gloria Kim | 00688 | 960759 | 075 PCT |
| 6. POM Adrian Theobald | 31670 | 955573 | 075 PCT |
| 7. POM Nicholas Rossides | 31621 | 955419 | 075 PCT |
| 8. POM Justin Tafuro | 13840 | 955554 | 075 PCT |
| 9. POM Jhonny Milfort | 935 | 954738 | 075 PCT |
| 10. POF Puja Negi | 14729 | 968036 | 075 PCT |
| 11. POM Tristan Isoldi | 20054 | 967929 | 075 PCT |
| 12. LT Winston Willabus | 00000 | 935969 | 075 PCT |

| Officer(s) | Allegation | Investigator Recommendation |
|-----------------------|---|-----------------------------|
| A.POM John Plumitallo | Discourtesy: At Sutter Avenue and Hemlock Street in Brooklyn, Police Officer John Plumitallo spoke discourteously to § 87(2)(b) | |
| B.POM John Plumitallo | Force: At Sutter Avenue and Hemlock Street in Brooklyn, Police Officer John Plumitallo used physical force against § 87(2)(b) | |

| Officer(s) | Allegation | Investigator Recommendation |
|----------------------|--|-----------------------------|
| C. Officers | Force: At Sutter Avenue and Hemlock Street in Brooklyn, officers used physical force against § 87(2)(b) | |
| D.SGT Adnan Radoncic | Force: At Sutter Avenue and Hemlock Street in Brooklyn, Sergeant Adnan Radoncic used physical force against § 87(2)(b) | |
| E. Officers | Force: At Sutter Avenue and Hemlock Street in Brooklyn, officers used physical force against § 87(2)(b) | |
| F.POM James Argila | Force: At Sutter Avenue and Hemlock Street in Brooklyn, Police Officer James Argila used physical force against § 87(2)(b) | |
| G. An officer | Abuse: At Sutter Avenue and Hemlock Street in Brooklyn, an officer threatened § 87(2)(b) with the use of force. | |
| H. An officer | Discourtesy: At Sutter Avenue and Hemlock Street in Brooklyn, an officer spoke discourteously to § 87(2)(b) | |
| I. Officers | Force: At Sutter Avenue and Hemlock Street in Brooklyn, officers used physical force against individuals. | |
| J. Officers | Discourtesy: At Sutter Avenue and Hemlock Street in Brooklyn, officers spoke discourteously to individuals. | |
| K. Officers | Force: Outside the 75th Precinct stationhouse in Brooklyn, officers used physical force against § 87(2)(b) | |
| L. Officers | Abuse: Inside the 75th Precinct stationhouse in Brooklyn, officers did not obtain medical treatment for § 87(2)(b) | |

Case Summary

On May 9, 2020, § 87(2)(b) a reporting non-witness, filed this complaint with the CCRB online after seeing a cell phone video of the incident posted to World Star HipHop.

On May 14, 2020, a call was placed to § 87(2)(b) who was identified in a Gothamist article reporting the incident, at a number listed for him in a CLEAR search. § 87(2)(b) said he wanted all conversations to go through his civil attorney, § 87(2)(b), and provided § 87(2)(b) telephone number. On the same day, a call was placed to § 87(2)(b) at the number § 87(2)(b) provided for him and a voicemail was left requesting a call back. On May 20, 2020, a second call was placed to § 87(2)(b) and a voicemail was left requesting a call back. On the same day, § 87(2)(b) returned the undersigned's voicemail and said he did not want § 87(2)(b) to participate in the investigation until the conclusion of his civil case.

On May 22, 2020, an OCA database search was performed for § 87(2)(b) who identified via an incident related arrest report. [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(g)
§ 87(2)(b) the undersigned contacted § 87(2)(b) and left a message with a receptionist requesting § 87(2)(b) contact the undersigned. On May 22, 2020, § 87(2)(b) returned the aforementioned voicemail and left a message requesting a call back. On the same day, the undersigned returned § 87(2)(b) voicemail. § 87(2)(b) did not have a problem with § 87(2)(b) participating in the investigation, but wanted to confer with a colleague before the undersigned contacted § 87(2)(b) for a statement. On June 1, 2020, the undersigned contacted § 87(2)(b) who said he spoke with his colleague, but wanted to speak with § 87(2)(b) and would contact the investigation after doing so. On June 8, 2020, the undersigned contacted § 87(2)(b) and left a message requesting a call back. § 87(2)(b) voicemail greeting stated that he preferred text messages and therefore a text was also sent to § 87(2)(b). On the same day, § 87(2)(b) responded to the text message and said that the undersigned could reach out to § 87(2)(b) and provided § 87(2)(b)'s telephone number. On June 15, 2020, § 87(2)(b) was interviewed over the phone.

Both surveillance footage and body-worn camera footage were obtained, § 87(2)(g)

§ 87(2)(g)
On September 18, 2020, the undersigned contacted § 87(2)(b) and informed him that the case would be temporarily closed. § 87(2)(g)

Squad No.: 14

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|---------------|---------------------|--------------------------|-------------------|
| Investigator: | <u>Casey McCann</u> | <u>Inv. Casey McCann</u> | <u>09/22/2020</u> |
| | Signature | Print Title & Name | Date |

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|---------------|-------------------------|----------------------------|-------------------|
| Squad Leader: | <u>Cassandra Fenkel</u> | <u>IM Cassandra Fenkel</u> | <u>09/22/2020</u> |
| | Signature | Print Title & Name | Date |

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|-----------|-----------|--------------------|-------|
| Reviewer: | _____ | _____ | _____ |
| | Signature | Print Title & Name | Date |